

Notice of Allowability

Application No.

10/773,656

Examiner

Richard M. Lorence

Applicant(s)

LEBER, FRITZ-

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 25 July 2005.
2. ☒ The allowed claim(s) is/are 16-36.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Handwritten initials or mark.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In line 4 of claim 16 "the" has been changed to - - a - -.

In line 6 of claim 16 "the drive (6)" has been changed to - - a drive (6) of the converter - -.

REASONS FOR ALLOWANCE

The amendment filed on July 25, 2005 has been entered. Claims 16, 22, 25, 27, 28 and 30 have been amended and new claims 31-36 have been added.

The replacement drawing sheets were received on July 25, 2005. These drawings are acceptable.

Applicant's arguments, see page 8, line 10 to page 12 line 9 of the amendment filed July 25, 2005, with respect to the rejection of claims 22, 26 and 30 under 35 USC 112, first paragraph have been fully considered and are persuasive. The rejection of claims 22, 26 and 30 under 35 USC 112, first paragraph has been withdrawn.

Claims 16-36 are allowed.

The following is an examiner's statement of reasons for allowance:

None of the prior art of record shows or suggests a hydrodynamic converter for the drive train of a motor vehicle including a pump, a turbine, a stator, a primary clutch, and a converter bridging clutch arranged together in the manner set forth in claim 16, and particularly wherein the primary clutch and the converter bridging clutch can be activated by a common piston via a common oil supply.

Nor does the prior art of record show or suggest a method for at least one of controlling and regulating a primary clutch and a converter bridging clutch of a hydrodynamic converter including a pump, a turbine, a stator, a primary clutch and a converter bridging clutch arranged together in the manner set forth in claim 28, including the steps of one of delivering or regulating pressure by means of a common oil supply, such that the transmission ability of the primary clutch can be one of controlled or regulated, and one of controlling or regulating the transmission ability of the converter bridging clutch, and particularly wherein the primary clutch and the converter bridging clutch can be activated by a common piston via the common oil supply, the converter bridging clutch can be closed by action of pressure and the primary clutch can be closed by spring force of a spring and can be opened by action of pressure.

Nor does the prior art of record show or suggest a clutch mechanism for a hydrodynamic converter including a pump and a turbine wherein the clutch mechanism includes a primary clutch for selectably connecting the pump to a drive of the converter, a bridging clutch for selectably connecting the turbine and the input shaft to the drive as recited in claim 31, and particularly wherein the clutch mechanism further includes a common piston for actuating both the primary clutch and the bridging clutch.


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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard M. Lorence whose telephone number is (571) 272-7094. The examiner can normally be reached on Mondays through Fridays from 9:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Richard M. Lorence
Primary Examiner
Art Unit 3681

Lorence/rml